

12-30-03

FSUM 10442.19  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert Holton

Art Unit: To Be Assigned

Serial No.: 10/680,649

Filed: October 7, 2003

Confirmation No.: To Be Assigned

For: TAXANE FORUMULATIONS

December 29, 2003

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, applicant submits the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein. In accordance with the Pre-OG notice of July 11, 2003 partially waiving the requirements of 37 C.F.R. 1.98(a)(2)(i), copies of the U.S. patent documents are not supplied. Copies of references 35-49 and 51-59 have not been provided in accordance with 37 C.F.R. § 1.98(d) because they are of record in prior application Serial No. 09/776,426 (now U. S. Patent No. 6,638,973 B2) relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of references 33, 34 and 50 are provided.

Respectfully submitted,

Edward J. Hejlek, Reg. No. 31,525

SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
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EJH/dfw/dep

\*Attachment

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Express Mail Label No. EV 416449053 US

## Complete if Known

Application Number	10/680,649
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First Named Inventor	Robert A. Holton
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned

Sheet 1 of 5 Attorney Docket No. FSUM 10442.19

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	1.	4,960,790		Stella et al.	10-02-1990
	2.	5,175,315		Holton	12-29-1992
	3.	5,227,400		Holton et al.	07-13-1993
	4.	5,243,045		Holton et al.	09-07-1993
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	6.	5,283,253		Holton et al.	02-01-1994
	7.	5,350,866		Holton et al.	09-27-1994
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	13.	5,527,537		Dietl	06-18-1996
	14.	5,616,330		Kaufman et al.	04-01-1997
	15.	5,681,846		Trissel	10-28-1997
	16.	5,714,513		Holton et al.	02-03-1998

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Sheet	2 of 5	Attorney Docket No.	FSUM 10442.19

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	19.	5,922,754		Burchett et al.	07-13-1999
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	29.	6,638,973	B2	Holton	10-28-2003
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	33.	2001/0029264	A1	McChesney-Harris	10-11-2001
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## FOREIGN PATENT DOCUMENTS

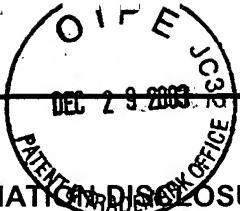
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office	Number <sup>4</sup>	Kind Code <sup>2</sup> (if known)			
	35.	WO	94/13655	A1	The Upjohn Company	06-23-1994	
	36.	WO	95/11020	A1	Enzon, Inc.	04-27-1995	
	37.	WO	96/13495	A1	The Research Foundation of State University of New York	05-09-1996	
	38.	WO	96/38138	A1	Biophysica Foundation	12-05-1996	
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	47.	WO	00/78247	A1	Baker Norton Pharmaceuticals	12-28-2000	
	48.	EP	0 534 709	A1	Florida State University	03-31-1993	

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Sheet	4 of 5
Attorney Docket No.	FSUM 10442.19

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

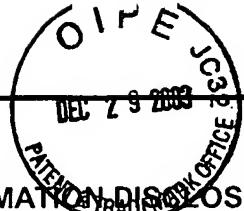
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	49.	GUENARD et al. "Effects of the Hydrophobicity of Taxoids on their Interaction with Tubulin" Bioorganic & Medicinal Chemistry, Vol. 8 (2000) pp. 145-156.	
	50.	International Search Report for analogous PCT Application No. PCT/US01/03624 dated June 12, 2001.	
	51.	KANT et al. "A Chemoselective Approach to Functionalize the C-10 Position of 10-Deacetylbaicatin III. Synthesis and Biological Properties of Novel C-10 Taxol Analogues" Tetrahedron Letters, Vol. 35, No. 31 (1994) pp. 5543-5546.	
	52.	KIRIKAE et al. "Structural Significance of the Acyl Group at the C-10 Position and the A Ring of the Taxane Core of Paclitaxel for Inducing Nitric Oxide and Tumor Necrosis Factor Production by Murine Macrophages" FEBS Letters, Vol. 478 (2000) pp. 221-226.	
	53.	LIN et al. "Synthesis of Highly Potent Second-Generation Taxoids Through Effective Kinetic Resolution Coupling of Racemic $\beta$ -Lactams with Baccatins" CHIRALITY, Vol. 12 (2000) pp. 431-441.	
	54.	OJIMA et al. "Efficient Asymmetric Synthesis of $\beta$ -lactams Bearing a Cyclopropane or an Epoxide Moiety and Their Application to the Synthesis of Novel Isoserines and Taxoids" Journal of Organic Chemistry, Vol. 63, No. 2 (1998) pp. 224-225.	
	55.	OJIMA et al. "Synthesis and Biological Activity of Novel 3'-Trifluoromethyl Taxoids" Bioorganic & Medicinal Chemistry Letters, Vol. 7, No. 2 (1997) pp. 133-138.	
	56.	OJIMA et al. "Synthesis and Structure-Activity Relationships of New Second-Generation Taxoids" Bioorganic & Medicinal Chemistry Letters, Vol. 9 (1999) pp. 3423-3428.	
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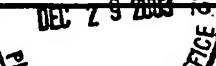


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